2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

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Disarmament and non-proliferation education: promoting cooperation with civil society towards a world without nuclear weapons

Joint working paper submitted by Japan and the United Nations University

I. Introduction

1. Japan and the United Nations University (UNU), headquartered in Japan, welcome the renewed global attention to achieving a peaceful and safe world without nuclear weapons. We need to seize this growing momentum to advance nuclear disarmament and non-proliferation. For this purpose, it is crucial to provide adequate knowledge of the immense destructive power of nuclear weapons and to increase awareness and understanding of the dangers of their proliferation. Disarmament and non-proliferation education, therefore, plays a significant role in this respect. Japan believes that it has the moral responsibility to convey to all people around the world the horrific consequences of nuclear devastation based on its first-hand experience and has been at the forefront of such endeavours with a strong determination that these experiences shall never be repeated.

2. However, the task is so enormous that Governments alone cannot take on this role. We need action at both the grassroots and the governmental levels. The report of the Secretary-General on disarmament and non-proliferation education (A/63/158) stated: "Some of the most effective past and current efforts involve partnerships among Governments, international, regional and civil society organizations. They can serve as a model for future activities." Japan's working paper entitled "Disarmament and non-proliferation education" (NPT/CONF.2010/PC.II/WP.9) also alluded to this point, stating: "Civil society is already active in recording, compiling, preserving and further disseminating information using various tools, including narratives, visual media and other forms of communication. Governments should support, where necessary and appropriate, such efforts by civil society."

3. Japan and UNU, recognizing the invaluable contribution made by civil society to date, submit this joint working paper in order to underscore the importance of coordinated and sustained cooperation with civil society in promoting disarmament

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and non-proliferation education and to examine ways to enhance such cooperation, with a view to strengthening Non-Proliferation Treaty norms and taking concrete steps to move towards a world without nuclear weapons.

II. Necessity for sustained and stronger cooperation with civil society

4. Sustained and stronger cooperation between Governments and civil society is essential to promote disarmament and non-proliferation education for the following reasons.

5. First, civil society can play a dual role: it can be a public watchdog and critic, where necessary, exerting influence on Governments to meet people's expectations, or it can act as a partner and supporter for Governments' actions in the furtherance of a common cause.

6. Second, there is global recognition of the role played by civil society in generating public awareness, mobilizing public opinion, taking creative initiatives and assisting governmental efforts in various tasks, including in disarmament and non-proliferation education. Civil society has engaged in a full range of society-wide and multidirectional education activities, which cut across generational lines.

7. Finally, the process of globalization has made civil society a constant partner of Governments in addressing global issues such as nuclear disarmament and non-proliferation. The role of civil society thus has to be taken into serious consideration by policymakers.

III. Engaging and working with civil society

8. In the light of the necessity described above, we should first look at what kind of cooperation has been carried out in the past. The following are a few examples of activities initiated by the Japanese Government and UNU in recent years that engaged civil society.

A. Japanese Government initiatives

9. Various activities have been carried out in collaboration with non-governmental organizations to pass on the experiences of Hiroshima and Nagasaki to people around the world and to future generations. Specific activities include:

Seminars engaging civil society

Japan co-organized seminars on the sidelines of the Preparatory Committees in 2008 and 2009, with the participation of non-governmental organizations and citizens including *Hibakusha* (atomic bomb victims) from Hiroshima and Nagasaki. Last year, Member States and a wide range of participants from civil society exchanged views on the theme "Practical ways and tools to raise public awareness through education and its role in strengthening the NPT".

Hiroshima and Nagasaki atomic bomb exhibitions

Japan has supported a number of efforts by local governments, universities, non-governmental organizations and various organizations to organize exhibitions relating to atomic bombs in foreign countries.

10. Disseminating information on current disarmament issues to the general public and raising public awareness is also an important task for the Government. Since 1989, Japan has sponsored the United Nations Conference on Disarmament Issues, which is open to the public and held in a different local city in Japan. Last year's Conference, which was held in Niigata City, devoted one session to the discussion of the role of civil society and the media.

11. Governments can create opportunities for non-governmental organizations to initiate discussion on specific topics. In September 2008, the Governments of Australia and Japan launched an independent initiative, called the International Commission on Nuclear Non-Proliferation and Disarmament, involving outstanding individuals from around the world. The Commission engaged in discussions with representatives of non-governmental organizations and industries and produced a report in December 2009 with action-oriented recommendations towards a world free of nuclear weapons, which will involve all relevant players, including policymakers, think tanks and civil societies alike, in their implementation.

B. UNU initiatives

12. UNU integrates research, education and dissemination on disarmament and non-proliferation issues and cooperates closely with civil society organizations in most of its activities. The following are a few examples:

(a) UNU has completed several projects that illustrate its high-quality, policy-relevant research and the priority it gives to civil society engagement and to disarmament and non-proliferation. Among its most recent projects are: *Engaging Civil Society in Global Governance* (Eds. S. Cheema and V. Popovski, UNU Press 2010) and *The United Nations and Nuclear Orders* (Eds. J. Boulden, R. Thakur and T. Weiss, UNU Press 2009).

(b) UNU addresses disarmament and non-proliferation issues in its educational and capacity-building activities, including in the curricula for some of the new UNU postgraduate degree programmes, which will soon accept their first postgraduate students.

(c) UNU organizes academic conferences and forums on a regular basis, facilitating interaction between Governments and civil society organizations. The growing networks of UNU Research and Training Centres and Programmes and UNU Associated Institutions are partnering with universities and think tanks around the world — effectively with the global academic civil society — to identify and recommend policy solutions on pressing global problems.

(d) The UNU Institute for Sustainability and Peace, based in Tokyo, has been working closely with Hiroshima University to engage in peace education and enhance a culture of peace. The Institute's staff supported and participated in the International Network of Universities Student Seminar on Global Citizenship, tackling the theme of the legality of nuclear weapons. The Institute has also been supporting and co-organizing workshops and events of the Hiroshima Peacebuilders

Center under the Program for Human Resource Development in Asia for Peacebuilding, which is commissioned by the Ministry of Foreign Affairs of Japan. Through these activities, UNU continues to bring global and contemporary perspectives into Japanese debates on nuclear weapons, and helps raise global awareness of nuclear-related problems by engaging with students and researchers worldwide.

IV. Proposals for further action

13. The above examples illustrate the benefits and synergies gained through cooperating with civil society for a non-nuclear world. There is still a lot of room for strengthening and improving this cooperation. Governments can learn more from civil society's innovative ideas and tools used for nuclear disarmament education. Civil society, on the other hand, can benefit from working with Governments, for instance, in gaining increased access to information and other resources. Civil society can also support governmental efforts in capacity-building and education. In addition, Governments and civil society can cooperate more in using modern information and communication technologies and innovative methods for education. Japan and UNU, therefore, propose the following for further action.

14. Japan and UNU will initiate dialogue among Member States of the United Nations and members of civil society on how to enhance cooperation between Governments and civil society in strengthening disarmament and non-proliferation education. Such dialogue will be instrumental in identifying tools to inject a culture of peace into educational activities worldwide. The United Nations Conference on Disarmament Issues, to be held in Japan in 2010, will provide a timely opportunity for such dialogue.

15. The dialogue should lead to a global forum that brings together civil society and Governments, compiles best practices and ideally produces a declaration and a joint plan for capacity-building for enhanced disarmament and non-proliferation education.

16. To integrate modern technologies and innovative methods for education into traditional education, joint educational activities between Governments and civil society should prepare joint educational manuals and materials. In particular, considering the ageing of the *Hibakusha*, the efforts need to be redoubled to digitally record their testimonies and to disseminate them to future generations by employing modern technologies.

V. Conclusion

17. With this joint paper, Japan and UNU express their commitment to work cooperatively with civil society and appeal to the international community to take concerted actions to strengthen partnerships with civil society in promoting disarmament and non-proliferation education and make progress towards a world without nuclear weapons.

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Multilateral approaches to the nuclear fuel cycle

Working paper submitted by Sweden

1. The concept of multilateral nuclear fuel assurances (MNA) has been on the international nuclear agenda for a long time, as part of the International Atomic Energy Agency (IAEA) discussions to improve the assurance of supply of low-enriched uranium (LEU) to States engaging in the peaceful uses of nuclear energy and, within the context of non-proliferation, as a means of limiting the unwarranted and uncontrolled spread of sensitive nuclear technologies (enrichment and reprocessing). The international commercial market for nuclear fuel services generally functions well, but there is perceived interest in adding a safety net by way of LEU reserves and, in the longer term, considering new joint undertakings to take care of an increasing demand. It is therefore an issue of considerable interest within the context of article IV of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT).

2. Against the backdrop of increased global interest in the development of nuclear energy in a situation of perceived looming energy scarcity, the MNA discussion has intensified, and a large number of more or less concrete proposals have been presented to implement the MNA concept, some for limited, immediate application, some more complex and long term. The details of the proposals, numbering at least 12, made so far can be found in the IAEA document GOV/INF/2007/11.

3. The MNA issue is of direct relevance to the statutory right of IAEA to assist member States in acquiring nuclear fuel for peaceful uses and to the implementation of relevant articles of the NPT, in particular article IV, on the right of every State party to develop a national fuel cycle in conformity with its safeguards obligations under the Treaty and relevant IAEA agreements. The fact that important national interests are perceived to be at stake has tended to make the debate on MNA somewhat complicated. However, a closer look at the factors involved seems to indicate that it should be possible to reconcile differences of view. As a matter of fact, while MNA may not suit the needs of all States, for the vast majority of States members of IAEA parties to the NPT, MNA arrangements could, in Sweden's view, be beneficial in adding to the generally desirable goals of increased supply assurance and non-proliferation.

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4. For the purposes of the current discussions on MNA, it seems desirable to make the following general observations. Existing proposals and ambitions are of very differing scopes and time horizons. The most concrete but also most limited, such as the Russian Angarsk project recently approved by the IAEA Board of Governors and the proposed IAEA LEU Bank, are small-scale, last resort backup mechanisms aimed at offsetting an unexpected, politically motivated loss of nuclear fuel supply from a customary commercial provider.

5. More ambitious projects which discuss the creation of new, additional, multilateral production facilities, even the total multilateralization or internationalization of all enrichment (and possibly reprocessing), are obviously a much more complex undertaking which presupposes a new sense of trust between nuclear suppliers and recipients and new cooperative, commercial forms of peaceful nuclear cooperation.

6. While these more ambitious goals certainly remain desirable and should be further pursued, it seems advisable, for the present, to concentrate on the more immediate implementation of the Angarsk project and a possible decision on the IAEA LEU Bank concepts, deriving from them some generally applicable principles which might also be useful in the context of later developments. For the purpose of the present NPT discussions on article IV of the Treaty in particular, some of the following points should be kept in mind (cf. also IAEA secretariat information note 2010/1):

7. It has been unequivocally and repeatedly confirmed that such backup mechanisms would not require a State to give up its national rights regarding any parts of the nuclear fuel cycle. The use of the reserve mechanisms would be apolitical and non-discriminatory and based on previously agreed eligibility criteria to be applied independently by the Director General of IAEA. It would be available to all States that are in compliance with their safeguards obligations. It would also be market neutral.

8. Recourse to the backup mechanism would be entirely voluntary, for any State to use or not to use in an emergency. Indeed, States engaging in the peaceful use of nuclear energy would, as a rule, have contracted an assured long-term supply of LEU and nuclear fuel on the international commercial market. It is only in the event of the failure of this supply, for some political reason unconnected with proliferation concerns, that the backup mechanism would become operative as a limited last resort. In the most likely and ideal case, the LEU reserve would only rarely need to be used. Even so, the very existence of such a safety net, administered and, in the case of the IAEA LEU Bank, owned by IAEA, can be seen as a useful unilateral offer of technical cooperation, financed wholly or in large part by contributing States and at no or very limited additional cost to the potential user (besides the cost of the fuel itself) or to IAEA.

9. In spite of manifold assurances that the various MNA schemes will not affect national rights to develop the various parts of the fuel cycle, this concern still seems to be prevalent. However, from a practical point of view the situation presents itself very differently for the vast majority of States engaging in or planning to engage in the peaceful use of nuclear energy, mainly for electricity production. Any country embarking on a complex and costly nuclear energy production programme, which for the power-producing reactors alone would run into tens of billions of dollars, will carefully consider the extra industrial, technological, environmental and other costs, including perhaps political, for developing related parts of the fuel cycle such

as enrichment. This is true both for industrialized and newly industrializing States. The case of Sweden might serve as an illuminating example.

10. Sweden is a highly industrialized State with advanced technological know-how, including in the nuclear field. It depends on nuclear energy for about 45 per cent of its electricity needs. This is produced in 10 reactors, some Swedish built (our per capita use of nuclear energy is among the highest in Europe and in the world). When embarking on nuclear power in the 1960s, Sweden had ambitious plans and the technical capacity to master and utilize the whole nuclear fuel cycle from uranium milling to reprocessing. But for a number of reasons, including economies of scale, industrial and market demands as well as environmental and political considerations, such plans were gradually abandoned in favour of utilizing a reliable international market for nuclear fuel services and, in the case of spent fuel, important national final storage schemes.

11. The Swedish example shows that even in the case of a fairly large national nuclear programme, reliance on a well-functioning international market has proved more advantageous than initiating costly and uncertain national schemes of doubtful value. A number of other countries, in Europe and elsewhere, have come to the same conclusion, which will in all likelihood also hold true for new countries considering the nuclear road (cf. also the submission by the Republic of Korea in document NPT/CONF.2010/PC.III/WP.28, para. (b). As a matter of fact, out of the 12 countries in the world having the highest share of electricity produced in nuclear reactors, only one, France, also engages in uranium enrichment activities. None of them has experienced problems with the timely supply of LEU from the commercial market. Generally, disruptions in the market, for any reason, have been rare. None of these States has given up, or will give up, its formal rights under article IV of the NPT. As such States have as a rule concluded long-term international agreements to satisfy their needs for nuclear services, it is to be expected that they would rarely have to apply for help from an emergency LEU storage facility. Nevertheless, it is Sweden's conviction that the availability of such facilities would be a useful, albeit limited, instrument to ensure supply to a State where an unforeseen need for LEU has arisen.

12. Critics of the LEU storage schemes have voiced doubts as to whether any such mechanism can ever be totally reliable and whether there will not always be a danger of exerting political influence on the Director General of IAEA in his supposedly independent decision to release the LEU to a requesting State in conformity with pre-established criteria. The IAEA secretariat has offered valuable suggestions on how to overcome this perceived problem.

13. It has been pointed out as a weakness of the LEU reserve proposals (Angarsk and the IAEA Fuel Bank) that they do not provide assurances in regard to the individual fuel fabrication needs of requesting States. In this respect, Sweden shares the view of the IAEA secretariat that this additional supply aspect could be resolved in a second stage and should not be considered as an obstacle to agreement on the basic LEU reserve arrangement.

14. The two LEU reserve mechanisms do not involve any transfer of technology and are therefore simple and non-prejudicial to any future multilateral, new production facilities, which may well have to find innovative ways of handling the relevant "sensitive" technology aspects (cf. the suggestions made by Germany in its proposal on the Multilateral Enrichment Sanctuary Project (MESP) — International Atomic Energy Agency, INFCIRC/735.

15. The vast majority of small and medium-sized nuclear power States ("reactor States") would see advantages in relying on a well-functioning commercial market to supply LEU and other services, backed up by the extra security of reserve capacity, as discussed above. However, a very few large non-nuclear-weapon States with important nuclear power generating programmes, perhaps counting several tens of reactors, might well have a rationale for developing a full national fuel cycle. There is little reason to believe that this would not be considered legitimate, as long as it were done in accordance with international obligations and standards relating to safety, security and non-proliferation.

16. Such States and groups of States might also wish to cooperate in the construction of new production facilities, when and if additional capacity seems necessary. In due course this may lead to an increased interest in the more advanced types of MNA installations discussed in some proposals. Such new production arrangements would, fundamentally, be based on the same rules and values as the limited LEU storage concepts. They would equally be voluntary, they would not infringe on the formal rights of States under article IV of the NPT and they could make industrial, economic and environmental sense. IAEA could, and should, play a role as administrator and supervisor to ensure that the plant operates in accordance with agreed safety, security and non-proliferation standards, thus adding to the international credibility of the undertaking. Although it will in all likelihood still be some time until such new capacity is called for, it is desirable to prepare the ground for such new common endeavours, which by sharing ownership and management of installations could go a long way towards defusing the present distrust between suppliers and recipient States. The so-called MESP proposal presented by Germany already provides a number of valuable suggestions to build on for such common efforts.

17. It would also be desirable to pay attention to joint multilateral schemes in relation to the back-end of the fuel cycle, i.e., reprocessing of spent fuel and/or final storage of spent fuel, including from other States. Final storage is a difficult proposition considering public opinion in most countries, but it is possible that in large supplier States and in certain regional contexts such cooperative schemes for intermediate and perhaps final storage could be achievable.

18. As can be seen, MNA arrangements, whether in their more rudimentary form of a backup reserve or in a more developed future form of new enrichment (and, possibly, reprocessing) capacity, can play a very useful role for various categories of States. They will not negatively affect anybody's rights or interests. In the NPT context, there would be at least two desirable consequences: MNA will make a contribution to enhanced security of supply, which will increase the stability and confidence of States embarking on the peaceful nuclear road; at the same time, such arrangements will have positive non-proliferation and confidence-building effects in regard to important parts of the nuclear fuel cycle.

19. All of this would seem to be in the general interest of all States parties to the NPT, whether they wish to be directly involved with MNA projects or not. Positive agreement on the potential benefits of MNA could be one important contribution of the NPT Review Conference within the scope of article IV.

20. The 2010 NPT Review Conference should, therefore, take note of the important work that has been carried out in the IAEA on MNA and encourage States parties to make further efforts in this area.

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Working paper submitted by Egypt on behalf of Brazil, Egypt, Ireland, Mexico, New Zealand, South Africa and Sweden as members of the New Agenda Coalition

In the pursuit of the full and effective implementation of the agreements reached at the 1995 Review and Extension Conference and the 2000 Review Conference, the New Agenda Coalition reaffirms and augments its positions and recommendations contained in documents NPT/CONF.2010/PC.III/WP.11, NPT/CONF.2010/PC.II/WP.26 and NPT/CONF.2010/PC.I/WP.15 to the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons through the following recommendations:

1. To reaffirm the unequivocal undertaking by nuclear-weapon States to accomplish the total elimination of their nuclear arsenals, and in this context to call upon all States parties to the Treaty on the Non-Proliferation of Nuclear Weapons to accelerate the implementation of the practical steps for systematic and progressive efforts to achieve nuclear disarmament that were agreed upon at the 2000 Review Conference.

2. To call upon all States parties to pursue policies that are fully compatible with the objective of achieving a world free from nuclear weapons.

3. To reiterate that each article of the Treaty on the Non-Proliferation of Nuclear Weapons is binding on the respective States parties at all times and in all circumstances and that all States parties should be held fully accountable with respect to strict compliance with their obligations under the Treaty.

4. To call upon all States parties to spare no effort to achieve the universality of the Treaty on the Non-Proliferation of Nuclear Weapons, and in that regard to urge India, Israel and Pakistan, which are not yet parties to the Treaty, to accede to it as non-nuclear-weapon States promptly and without any conditions, and pending their accession, to adhere to its terms.

5. To urge the Democratic People's Republic of Korea to rescind its announced withdrawal from the Treaty, to re-establish cooperation with the International Atomic Energy Agency (IAEA) and to rejoin the Six-Party Talks, with a view to achieving the denuclearization of the Korean Peninsula in a peaceful manner.

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6. To call upon all nuclear-weapon States, in accordance with their commitment to diminish the role of nuclear weapons in their security policies pending their total elimination, to take further steps to reduce their non-strategic and strategic nuclear arsenals and to declare a moratorium on upgrading, and developing new types of, nuclear weapons, or developing new missions for nuclear weapons.

7. To reaffirm that nuclear disarmament and nuclear non-proliferation are mutually reinforcing processes requiring urgent irreversible, verifiable and transparent progress on both fronts, and in this respect to underline the need to develop further adequate and efficient nuclear disarmament verification capabilities.

8. To stress the need for all five nuclear-weapon States to make arrangements for the placing of their fissile material no longer required for military purposes under IAEA or other relevant international verification and to make arrangements for the disposition of such material for peaceful purposes in a manner which ensures that such material remains permanently outside military programmes.

9. To support, consistent with the principles of irreversibility and verification and in furthering the establishment of safeguarded worldwide nuclear disarmament, the development of appropriate legally binding verification arrangements, within the context of IAEA, to ensure the irreversible removal of fissile material from nuclear weapons or other nuclear explosive devices.

10. To encourage States that are part of regional alliances which include nuclear-weapon States to report as a significant transparency and confidence-building measure, on steps taken or future steps planned to reduce and eliminate the role of nuclear weapons in collective security doctrines.

11. To urge nuclear-weapon States to refrain from pursuing military doctrines which emphasize the importance of nuclear weapons or which lower the threshold for their use.

12. To agree that the nuclear-weapon States take further action towards increasing their transparency and accountability with regard to their nuclear weapons arsenals and their implementation of disarmament measures, and in this context to recall the obligation to report as agreed at the 2000 Review Conference.

13. To call for further concrete measures to be taken to decrease the operational readiness of nuclear weapons systems, with a view to ensuring that all nuclear weapons are removed from high alert status.

14. To reiterate the necessity of negotiations in the Conference on Disarmament on a non-discriminatory, multilateral and internationally and effectively verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices in accordance with the statement of the Special Coordinator in 1995 and the mandate contained therein, taking into consideration both nuclear disarmament and non-proliferation objectives.

15. To agree on the vital importance of the early entry into force of the Comprehensive Nuclear-Test-Ban Treaty as a core element of the international non-proliferation and disarmament regime, and in that regard to call for the upholding and maintenance of the moratorium on nuclear-weapon test explosions or any other nuclear explosions pending the entry into force of the Treaty.

16. To urge all concerned States to take all necessary measures to bring about the entry into force of the relevant protocols to treaties establishing nuclear-weapon-free zones, and the withdrawal of any related reservations or unilateral interpretative declarations that are incompatible with the object and purpose of such treaties.

17. To encourage the establishment of further additional nuclear-weapon-free zones, on the basis of arrangements freely arrived at among States of the region concerned, in order to contribute to the implementation of the Treaty on the Non-Proliferation of Nuclear Weapons.

18. To welcome the entry into force of the Treaty of Pelindaba on 15 July 2009.

19. To recall that, despite the adoption of the resolution on the Middle East by the 1995 Review and Extension Conference, no progress has yet been achieved on the establishment of a nuclear-weapon-free zone in that region.

20. To renew its support for the establishment of a Middle East zone free of nuclear weapons as well as other weapons of mass destruction, and for the taking of concrete and practical steps towards the full implementation of the 1995 resolution on the Middle East, and in this context, to renew its call to Israel, as the only State of the region not yet a party to the Treaty on the Non-Proliferation of Nuclear Weapons, to accede to the Treaty as a non-nuclear-weapon State promptly and without conditions, and to place all of its nuclear facilities under comprehensive IAEA safeguards.

21. To reiterate that while the total elimination of nuclear weapons is the only absolute guarantee against the use or threat of use of nuclear weapons, interim measures should be considered, including providing non-nuclear-weapon States parties to the Treaty on the Non-Proliferation of Nuclear Weapons with legally binding security assurances.

22. To call upon the nuclear-weapon States to respect fully their existing commitments with regard to security assurances pending the conclusion of multilaterally negotiated, legally binding security assurances for all non-nuclear-weapon States parties.